

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

FILED  
DISTRICT COURT  
INDIANAPOLIS DIVISION  
2019 AUG 14 PM 4:40

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT FOOR,

Defendant.

)  
)  
)  
)  
) Cause No.  
)  
)  
)

**1 : 19 - cr - 0 273 SEB - TAB**

INDICTMENT

The Grand Jury charges that:

Count One

*(21 U.S.C. 841(a)(1) Possession with Intent to Distribute Controlled Substances)*

On or about February 7, 2019, in the Southern District of Indiana, SCOTT FOOR, defendant herein, knowingly and intentionally possessed with the intent to distribute a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Count Two

*(18 U.S.C. 924(c)-Possession of a Firearm in Furtherance of a Drug Trafficking Crime)*

On or about February 7, 2019, in the Southern District of Indiana, SCOTT FOOR, defendant herein, did knowingly possess a firearm, that is, a Glock Model 22 .40 caliber pistol, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the possession with intent to distribute marijuana on or about February 7, 2019; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

**Count Three**

*(18 U.S.C. 922(g)(1)-Possession of a Firearm as a Previously Convicted Felon)*

On or about February 7, 2019, in the Southern District of Indiana, SCOTT FOOR, defendant herein, having knowingly been convicted of a crime punishable by imprisonment for a term exceeding one year (including: felony Unlawful Use of Communication Facility in Furtherance of Drug Trafficking on or about September 26, 2017 in the Southern District of Indiana; and/or felony Resisting Law Enforcement on or about January 12, 2015 in Marion County, Indiana; and/or felony Felon in Possession of a Firearm on or about October 13, 2006, in the Southern District of Indiana; and/or felony Possession of a Firearm by a Serious Violent Felon on or about October 2, 2002 in Marion County, Indiana; and/or felony Possession of Cocaine on or about March 16, 2000 in Marion County, Indiana; and/or felony Battery on or about November 12, 1999 in Marion County, Indiana) did knowingly possess in and affecting interstate commerce, a firearm, that is: a Glock Model 22 .40 caliber, in violation of Title 18, United States Code, Section 922(g)(1).

**FORFEITURE**

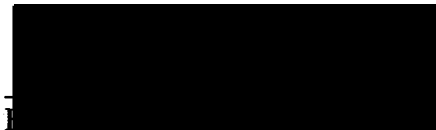
1. Pursuant to Title 21, United States Code, Section 853, if convicted of Count One of the Indictment, the defendant shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense.

2. The United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), and as incorporated by Title 28, United States Code, Section 2461(c), if any of the property described above in paragraph 1, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

3. Pursuant to Title 18, United States Code, Section 924(d), if convicted of the offense set forth in Counts Two or Three of this Indictment, the defendant shall forfeit to the United States "any firearm or ammunition involved in" the offense.

A TRUE BILL



JOSH J. MINKLER  
United States Attorney

By: M. P. Brady  
Michelle P. Brady  
Assistant United States Attorney